

FILED *CF*
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.

2016 SEP -8 A 11:54

WILLIAM J. FLEVINS
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**INDICTMENT FOR VIOLATION OF THE FEDERAL CONTROLLED
SUBSTANCES ACT AND THE FEDERAL GUN CONTROL ACT**

UNITED STATES OF AMERICA

* CRIMINAL NO.

16-166

v.

* SECTION:

SECT.R MAG4

JAMES MOORE, JR.

* VIOLATIONS: 21 U.S.C. § 841(a)(1)

18 U.S.C. § 924(c)(1)(A)

* * *

The Grand Jury charges that:

COUNT 1

On or about February 24, 2016, in the Eastern District of Louisiana, the defendant, **JAMES MOORE, JR.**, did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 2

On or about March 2, 2016, in the Eastern District of Louisiana, the defendant, **JAMES MOORE, JR.**, did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

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COUNT 3

On or about March 21, 2016, in the Eastern District of Louisiana, the defendant, **JAMES MOORE, JR.**, did knowingly and intentionally possess with the intent to distribute a quantity of methamphetamine, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT 4

On or about March 24, 2016, in the Eastern District of Louisiana, the defendant, **JAMES MOORE, JR.**, did knowingly and intentionally possess with the intent to distribute five grams or more of methamphetamine, a Schedule II drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT 5

On or about August 25, 2016, in the Eastern District of Louisiana, the defendant, **JAMES MOORE, JR.**, did knowingly and intentionally possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: possession with the intent to distribute methamphetamine, as set forth in Count 3, which is incorporated herein; all in violation of Title 18, United States Code, Section 924(c)(1)(A).

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1-4 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offense alleged in Counts 1-4, the defendant, **JAMES MOORE, JR.**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained

directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Counts 1-3 of this Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

NOTICE OF GUN FORFEITURE

1. The allegations of Count 5 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924 (d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offense alleged in Count 4, defendant, **JAMES MOORE, JR.**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28 United States Code, Section 2461, any firearm or ammunition, which was involved in or

used in a knowing violation of Title 18, United States Code, Section, 924(c)(1), as alleged in Count 4 of the Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 924(c)(1) and 924(d)(1).

A TRUE BILL:

FOREPERSON

KENNETH ALLEN POLITE, JR.
UNITED STATES ATTORNEY



GREGORY M. KENNEDY
Assistant United States Attorney

New Orleans, Louisiana
September 8, 2016

FORM OBD-34

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Louisiana

Criminal Division

THE UNITED STATES OF AMERICA

vs.

JAMES MOORE, JR.

**INDICTMENT FOR VIOLATION OF THE FEDERAL
CONTROLLED SUBSTANCES ACT AND THE
FEDERAL GUN CONTROL ACT**

**VIOLATIONS: 21 U.S.C. § 841(a)(1)
18 U.S.C. § 924(c)(1)(A)**

Foreperson

Filed in open court this _____

day of _____
A.D. 2016.

Clerk

Bail, \$ _____


Gregory M. Kennedy
Assistant United States Attorney